

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA, ex rel.
ROGER D. KING,

Case No. 2:15 CV 1788

Plaintiff/Relator,

Judge Graham
Magistrate Judge Kemp

v.

OHIOHEALTH CORPORATION, et al.,

Defendants.

**UNITED STATES OF AMERICA'S NOTICE OF CONSENT TO DISMISSAL OF
CASE UNDER THE FALSE CLAIMS ACT**

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(1), the United States notifies the Court of its consent to dismissal, without prejudice as to the United States, of this *qui tam* case filed by Roger D. King (“Relator”).

Relator filed this case on behalf of the United States of America under the *qui tam* provisions of the False Claims Act on May 8, 2015. On January 7, 2016, Relator filed a Notice of Voluntary Dismissal, whereby he voluntarily dismissed the False Claims Act case, noting the dismissal was without prejudice as to the United States. The United States consents to the dismissal of this case without prejudice as to the United States.

The United States requests that the seal be lifted at this time, and certain pleadings be unsealed as set forth in the proposed Order submitted with this Notice.

Respectfully submitted,

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s/ Andrew M. Malek
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Counsel for the United States of America

Dated: January 7, 2016

CERTIFICATE OF SERVICE

I hereby certify that on January 7, 2016, a copy of the foregoing Notice of Consent to Dismissal of Case was sent by regular U.S. mail to counsel for Relator at the following address:

Ann B. Miller
Joseph J. Carroll
Keith & Associates, LLC
715 Bakewell Street
Covington, KY 41011

s/ Andrew M. Malek

ANDREW M. MALEK (0061442)
Assistant United States Attorney

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ORDER

The United States having consented to the Relator's Notice of Voluntary Dismissal of this case pursuant to 31 U.S.C. § 3730(b)(1), the Court rules as follows:

1. This case is hereby dismissed without prejudice as to both the United States and Relator;
2. The filing of this case, the Complaint, the Relator's Notice of Dismissal, the United States' Notice of Consent to Relator's Notice of Dismissal, and this Order shall be unsealed. All other pleadings filed prior to this Order shall remain under seal; and
3. The seal shall be lifted as to all other pleadings filed in this case after entry of this Order.

IT IS SO ORDERED.

Dated: _____, 2016

UNITED STATES DISTRICT COURT